

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Robert A. DiMilia

Patent No.: 7,235,161

Date of Patent: June 26, 2007

Atty. File No.: 03-1842

Title: "STABLE ANODES
INCLUDING IRON OXIDE AND
USE OF SUCH ANODES IN
METAL PRODUCTION CELLS"

REQUEST FOR EXPEDITED
CERTIFICATE OF
CORRECTION FOR PTO MISTAKE
(37 C.F.R. § 1.322(a))

It is hereby certified that this correspondence is being transmitted to the United States Patent and Trademark Office via the USPTO electronic filing system no later than 11:59 PM local time on August 25, 2009.

Signed:

Name: Marilyn Morris

Commissioner for Patents
Office of Patent Publication
Attention: Certificates of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs,

This is a request for a Certificate of Correction under 37 C.F.R. 1.322 for a mistake incurred solely through the fault of the U.S. Patent and Trademark Office ("Office"), and which mistake is clearly disclosed in the records of the Office.

On page 3 of the Examiner's Amendment accompanying the Notice of Allowability of April 9, 2007, the Examiner incorrectly used the chemical formula Fe_3O_4 instead of Fe_2O_3 when amending claim 43 (see Exhibit A). The amended claim 43 was based on text found in claims 40 and 41, which clearly shows Fe_2O_3 to be the chemical formula in question. See attached Response to Office Action of February 9, 2007, listing new claims 40 and 41 (Exhibit B). In the issued Patent claim 43 is renumbered as claim 15.

Attached as Exhibit C is form PTO/SB/44, containing the requested correction of claim 15 (formerly claim 43).

Pursuant to MPEP 1480.01, it is respectfully requested that the Office expeditiously issue the Certificate of Correction. Per MPEP 1480.01, the text of the correction is being submitted on form PTO/SB/44. As illustrated above, the correction requested was incurred through the fault of the Office, and the matter is clearly disclosed in the records of the office, and is accompanied by documentation (Exhibits A-B) that unequivocally support the assertions made herein. Therefore, expeditious issuance of a Certificate of Correction is proper. MPEP 1480.01.

It is not believed that any fees are due in connection with this correspondence. However, any necessary fees may be charged to Deposit Account No. 01-1000.

Respectfully Submitted,

Dated:

August 25, 2009

By:

Heath J. Briggs

Heath J. Briggs

Registration No. 54,919

GREENBERG TRAURIG LLP

1200 17th Street, Suite 2400

Denver, CO 80202

Tel: (303) 572-6500

Fax: (303) 572-6540

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,973	11/19/2003	Robert A. DiMilia	03-1842	7574

8840 7590 04/09/2007

INTELLECTUAL PROPERTY
ALCOA TECHNICAL CENTER, BUILDING C
100 TECHNICAL DRIVE
ALCOA CENTER, PA 15069-0001

EXAMINER

WILKINS III, HARRY D

ART UNIT

PAPER NUMBER

1742

DATE MAILED: 04/09/2007

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 476 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 476 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/716,973

Applicant(s)

DIMILIA ET AL.

Examiner

Harry D. Wilkins, III

Art Unit

1742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 9 February 2007.
2. ☒ The allowed claim(s) is/are 19,26,33,35-40 and 42-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

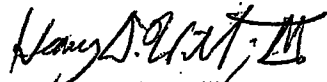
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 2/9/07
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

- ☐ Notice of Informal Patent Application
- ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070312.
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


Harry D. Wilkins, III
Primary Examiner
Art Unit: 1742

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Heath Briggs on 12 March 2007.

The application has been amended as follows:

Cancel claim 25.

Amend claim 33 as follows:

--33. A The stable anode of Claim 19, wherein the stable anode comprises for use in an electrolytic aluminum production cell, the stable anode comprising a monolithic body entirely composed of Fe_3O_4 and FeO and up to 10 wt % of an additive, wherein the additive is an oxide of one of Al, Si, and Mg.--

In claim 35, line 1, change "19" to --33--.

Cancel claim 41.

--43. A The stable anode of Claim 40, wherein the stable anode comprises for use in an electrolytic aluminum production cell, the stable anode comprising a monolithic body entirely composed of Fe_3O_4 and FeO and up to 10 wt % of an additive, wherein the additive is an oxide of one of Al, Si, and Mg.--

In claim 44, line 1, change "40" to --43--.

Fees

An additional fee under 37 CFR 1.16(h) is required to place this application in condition for allowance, due to the conversion of two previously dependent claims into independent format. During a telephone conversation conducted on 12 March 2007, Heath Briggs authorized the Director to charge Deposit Account No. 01-1000 the required fee of \$200 for this additional claim fee.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the claims continue to be allowable for the reasons as stated in the final rejection mailed 4 December 2006. The newly cited references to Duruz et al are cited for the reason of completing the record, however, both of these references teach coated anodes, which is in direct opposition to the claimed invention herein, which requires monolithic anode bodies.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry D. Wilkins, III whose telephone number is 571-272-1251. The examiner can normally be reached on M-F 8:30am-5:00pm.

Art Unit: 1742

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy V. King can be reached on 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Harry D Wilkins, III
Primary Examiner
Art Unit 1742

hdw

Examiner-Initiated Interview Summary	Application No. 10/716,973	Applicant(s) DIMILIA ET AL.	
	Examiner Harry D. Wilkins, III	Art Unit 1742	

All Participants:

(1) Harry D. Wilkins, III.

(2) Heath Briggs.

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 12 March 2007

Time: ~2:00PM EDT

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

35 USC 112, 1st paragraph of claim 25

Claims discussed:

25, 33, 35, 41, 43 and 44

Prior art documents discussed:

none

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

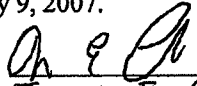
(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Agreed to the accompanying Examiner's Amendment cancelling claims 25 and 41, and amending claims 33 and 43 to be independent format. Additionally authorization was obtained to charge the excess claim fee for the 4th independent claim to Applicant's deposit account..

EXHIBIT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

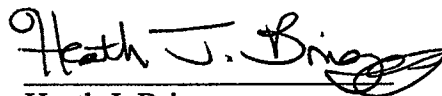
In Re the Application of:)	TRANSMITTAL AND CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R § 1.8
Robert A. DiMilia)	
Serial No.: 10/716,973)	It is hereby certified that this correspondence is being transmitted to the United States Patent and Trademark Office via the USPTO electronic filing system no later than 11:59 PM local time on February 9, 2007.
Filed: November 19, 2003)	
Confirmation No.: 7574)	
Atty. Ref. No.: 03-1842)	
For: " STABLE ANODES INCLUDING IRON OXIDE AND USE OF SUCH ANODES IN METAL PRODUCTION CELLS ")	
)	Signed: 
)	Name: <u>Travis E. Clair</u>

The following documents are being transmitted herewith to the United States Patent and Trademark Office via the USPTO electronic filing system:

- Request For Continued Examination Transmittal (1 Page)
- Amendments / Reply (5 pages)
- Information Disclosure Statement (33 pages, including copies of foreign patent documents, publications, and other information)

GREENBERG TRAURIG, LLP

Date: February 9, 2007



Heath J. Briggs

Attorney For Applicant

Registration No. 54,919

1200 17th Street, Suite 2400

Denver, CO 80202

Phone: (303) 572-6500; Fax: (303) 572-6540

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/716,973
Filing Date	November 19, 2003
First Named Inventor	Robert A. DiMilia
Art Unit	1742
Examiner Name	WILKINS III, HARRY D.
Attorney Docket Number	03-1842

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 01-1000. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

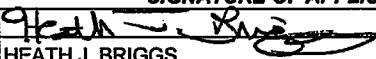
iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	2/5/09
Name (Print/Type)	HEATH J. BRIGGS	Registration No.	54,919

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print/Type)	
Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Robert A. DiMilia

Serial No.: 10/716,973

Filed: November 19, 2003

Confirmation No.: 7574

Atty. File No.: 03-1842

For: "STABLE ANODES INCLUDING
IRON OXIDE AND USE OF SUCH ANODES
IN METAL PRODUCTION CELLS"

) Group Art Unit: 1742

)

) Examiner: WILKINS III, HARRY D.

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AMENDMENT AND RESPONSE AND
INFORMATION DISCLOSURE
STATEMENT FILED WITH A
REQUEST FOR CONTINUED
EXAMINATION

)

)

)

)

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This correspondence is responsive to the Final Office Action having a mailing date of December 4, 2006. A Request for Continued Examination is being filed contemporaneously herewith.

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.

It is not believed that any extension(s) of time or additional fees are due in connection with this correspondence. However, any necessary extension(s) of time is/are hereby requested and any additional fees may be charged to Deposit Account No. 01-1000.

Amendments to the Claims

This Listing of Claims will replace all prior versions and listings of claims in the application:

1 - 18. (Canceled)

19. (Currently Amended) A stable anode for use in an electrolytic aluminum production cell, the stable anode comprising a monolithic body entirely composed of Fe_3O_4 and FeO ~~containing at least 80 wt % iron oxides, the iron oxides selected from the group consisting of Fe_3O_4 , Fe_2O_3 , FeO and mixtures thereof, where at lease one of Fe_3O_4 and Fe_2O_3 is present, and where the anode may optionally contain additive.~~

20 - 24. (Cancelled)

25. (Previously Presented) The stable anode of Claim 19, wherein the anode has a surface coated with the iron oxide.

26. (Original) The stable anode of Claim 19, wherein the anode remains stable in a molten bath of an electrolytic aluminum production cell at a temperature of up to 960°C .

27. - 32. (Cancelled)

33. (Currently Amended) The stable anode of Claim ~~32~~19, wherein the stable anode comprises up to 10 wt % of an additive, wherein the additive is an oxide of one of Al, Si, and Mg.

34. (Cancelled)

35. (Currently Amended) The stable anode of Claim ~~34~~19, wherein the stable anode comprises up to 5 wt % of an additive, wherein the additive is an oxide of one of Al, Si, and Mg.

36. (Previously Presented) An electrolytic aluminum production cell including a plurality of the stable anodes of Claim 19.

37. (Previously Presented) The electrolytic aluminum production cell of Claim 36, wherein the electrolytic aluminum production cell contains a cryolite bath and wherein the electrolytic cell is operable to produce commercial purity aluminum utilizing the plurality of stable anodes, wherein the commercial purity aluminum contains a maximum of 0.5 weight percent iron.

38. (Previously Presented) The electrolytic aluminum production cell of Claim 37, wherein the electrolytic aluminum production cell is operable at temperatures of from about 850°C to about 920°C to produce the commercial purity aluminum.

39. (Previously Presented) The electrolytic aluminum production cell of Claim 38, wherein the commercial purity aluminum contains a maximum of 0.034 weight percent Ni, a maximum of 0.034 weight percent Cu, and a maximum of 0.15 weight percent Si.

40. (New) A stable anode for use in an electrolytic aluminum production cell, the stable anode comprising a monolithic body entirely composed of Fe_2O_3 and FeO .

41. (New) The stable anode of Claim 40, wherein the anode has a surface coated with the iron oxide.

42. (New) The stable anode of Claim 40, wherein the anode remains stable in a molten bath of an electrolytic aluminum production cell at a temperature of up to 960°C .

43. (New) The stable anode of Claim 40, wherein the stable anode comprises up to 10 wt % of an additive, wherein the additive is an oxide of one of Al, Si, and Mg.

44. (New) The stable anode of Claim 40, wherein the stable anode comprises up to 5 wt % of an additive, wherein the additive is an oxide of one of Al, Si, and Mg.

45. (New) An electrolytic aluminum production cell including a plurality of the stable anodes of Claim 40.

46. (New) The electrolytic aluminum production cell of Claim 45, wherein the electrolytic aluminum production cell contains a cryolite bath and wherein the electrolytic cell is operable to produce commercial purity aluminum utilizing the plurality of stable anodes, wherein the commercial purity aluminum contains a maximum of 0.5 weight percent iron.

47. (New) The electrolytic aluminum production cell of Claim 46, wherein the electrolytic aluminum production cell is operable at temperatures of from about 850°C to about 920°C to produce the commercial purity aluminum.

48. (New) The electrolytic aluminum production cell of Claim 47, wherein the commercial purity aluminum contains a maximum of 0.034 weight percent Ni, a maximum of 0.034 weight percent Cu, and a maximum of 0.15 weight percent Si.

REMARKS

In view of the Request for Continued Examination being filed herewith, and in view of the foregoing amendments and following remarks, reevaluation and reconsideration of the application is requested.

Applicant acknowledges with appreciation the Examiner's indication that claims 30, 31, 33 and 35 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In this regard, independent claim 19 has been amended to include the limitation of claim 30. In turn, claim 31 has been cancelled and claims 33 and 35 have been amended to depend from claim 19. Thus, claims 19, 25, 26, 33 and 35-39 define a first claim set, with independent claim 19 reciting that the stable anode comprises a monolithic body (from claim 19) entirely composed of Fe_3O_4 and FeO (from allowable claim 30).

To capture the invention of allowable claim 31, new independent claim 40 has been added and corresponds with allowable claim 31. In particular, claims 19 and 31 have been combined such that new claim 40 recites that the stable anode comprises a monolithic body (from claim 19) entirely composed of Fe_2O_3 and FeO (from allowable claim 31). New dependent claims 41-48 have been added and correspond to dependent claims 25, 26, 33 and 35-39 of the first claim set, respectively.

Applicant also includes with this Amendment and Response a Request for Continued Examination and additional documents for consideration as provided on the enclosed PTO Form 1449. In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided, unless previously submitted. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended. Consideration of the listed items is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication

In light of the above remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. If the Examiner believes that it would be helpful to discuss any of the amendments or remarks presented herein, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Date:

February 9, 2007

Heath J. Briggs

Heath J. Briggs
Attorney for Applicant
Registration No. 54,919
1200 17th Street, Suite 2400
Denver, CO 80202
Phone: (303) 572-6500
Fax: (303) 572-6540

EXHIBIT C

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : US 7,235,161

APPLICATION NO.: 10/716,973

ISSUE DATE : 06/26/2007

INVENTOR(S) : Robert A. DiMilia

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please replace claim 15 with the following corrected claim 15:

--15. A stable anode for use in an electrolytic aluminum production cell, the stable anode comprising a monolithic body entirely composed of Fe_2O_3 and FeO and up to 10 wt % of an additive, wherein the additive is an oxide of one of Al, Si, and Mg.--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

HEATH J. BRIGGS
GREENBERG TRAUIG
1200 17th Street, Suite 2400, Denver, CO 80202

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.